

**AMENDMENTS TO THE DRAWINGS**

Please substitute the enclosed sheet 1/3 showing Fig. 1 and Fig. 1A of the invention, labeled "Replacement Sheet," for the corresponding sheet presently in the case.

## REMARKS

### Election/Restrictions

Inventors affirm the election to prosecute the invention of Species A, claim 1, pursuant to examiner's telephone conversation with inventors' attorney, Patrick M. Griffin, on May 8, 2006. Claim 2 is herewith withdrawn without prejudice.

### Amendment to Drawings

Drawings have been objected to as failing to comply with 37 CFR 1.84(p)(5) because they did not include a reference number mentioned in the description.

To overcome the objection, the missing reference numeral 18 has been inserted in Fig. 1. Reference numeral 18 refers to header plates shown in the original drawings and disclosed on page 4, lines 11-12, of the original application.

### Amendment to Specification

The disclosure has been objected to because of informalities. The paragraphs beginning on page 4, line 10, and on page 7, line 3, are herewith amended, pursuant to examiner's suggestion, to overcome the objection. Specifically, the phrase on page 4, lines 12-13, of the original application, "The plates 16 and reinforcements 18" is herewith amended to read "The header plates 18 and reinforcements 20". Also, on page 4, line 14 of the original application, the original phrase "The reinforcements 18" is herewith amended to read "The reinforcements 20." Furthermore, on page 7, line 10, the phrase "easy to for" is herewith amended to read "easy to form."

The aforementioned paragraph beginning on page 4, line 10, is herewith further amended on line 17 where the original description "approximately 16 mm" is corrected to state "approximately 24 mm."

The paragraph beginning on page 2, line 20, is herewith amended to correct a typographical error. Within the paragraph on page 3, line 1, the term “evaporator” is replaced with “radiator.”

### **Claim Rejection under 35 USC § 101 and § 112**

Claim 1 has been rejected under 35 USC 101 and 35 USC 112, first paragraph, for not being supported by either a specific and substantial asserted utility or well established utility. More specifically, claim 1 has been rejected for claiming two different statutory classes, namely a product and a process at the same time.

Claim 1 has also been rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Examiner contends that the phrase “moving vertically downward” is confusing and unclear as if the applicants are claiming the orientation of the elongated member to be in any particular direction at the time that the adjacent voids are being provided but prior to the assembling it to the core.

Claim 1 has also been further rejected for insufficient antecedent basis for the recited element “said reinforcement member” in lines 12-13.

The preamble of claim 1 is herewith amended to state “*A method of making*” in order to overcome the rejection under 35 USC 101 and 35 USC 112, first paragraph. *Emphasis added*. Amended claim 1 now recites “*A method of making* a brazed metal heat exchanger core having an elongated structural member the structural unity of which it is desired to maintain prior to the braze process...” *Emphasis added*.

Claim 1 is herewith further amended to state “said webs converge smoothly to a narrowest point and then diverge, moving vertically downwardly *when said predefined surface area is oriented substantially vertically*, assembling said core, *orienting said core with said predefined surface substantially vertical...*” *Emphasis added*. The substantially vertical orientation of the predefined surface area and the core in relationship to the web can be found in Fig. 3 and disclosed on pages 5 - 6 of the application.

Claim 1 is herewith amended to replace “said reinforcement member” with “elongated structural member...” Antecedent basis for an elongated structural member can be found in lines 1-2 of the original claim 1 as presented.

For the reasons detailed above, Applicants respectfully submit that claim 1 is now in condition for allowance; therefore, allowance is respectfully requested.

### **Claim Rejection under 35 USC § 102**

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by *Siler* (US 6,412,547). Column 5, lines 64-67, and column 6, lines 1-10 of *Siler* discloses a heat exchanger assembly that allows the thermal stresses involved in the brazing process to sever each side piece at the point of weakening as a result of thermally induced stress. *Siler* further discloses that the severing may not occur fully during the brazing process but when the heat exchanger is placed in use after a few thermal cycles of operation.

Applicants’ present invention patentable distinguishes over *Siler* by providing a method of assuring that the radiator core reinforcement is structurally sound enough to perform during core assembly, but is completely severed before it goes into operation. Claim 1 recites, “brazing said core at said predetermined temperature and duration, during which melted braze material runs vertically downwardly, guided by said void edges and continually across said webs, said webs being sufficiently thin such that, during the braze process, running braze material erodes and severs said webs and thereby severs said elongated member completely.” *Siler* does not teach eroding the web and thereby severing the elongated member completely during the brazing operation

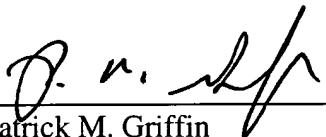
Applicants respectfully submit that currently amended claim 1 is patentable over *Siler* and is now in condition for allowance. Accordingly, it is respectfully requested that the rejection of the claim 1 be reconsidered and withdrawn, and that the claim 1 be allowed.

## Conclusion

It is believed, in view of the amendments and remarks herein, that all grounds of rejection of claim 1 have been addressed and overcome, and that claim 1 is in condition for allowance. If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the phone number provided.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,

  
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Patrick M. Griffin  
Reg. No. 29716  
Delphi Technologies, Inc.  
Customer No. 22851  
Legal Staff – M/C 480-410-202  
P.O. Box 5052  
Troy, Michigan 48007-5052  
(248) 813-1215

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